

REMARKS

Re-examination and favorable reconsideration in light of the above amendments and the following comments are respectfully requested.

Claims 18 - 25 and 29, 30, and 32 - 36 are pending in the application. Currently, all claims stand rejected.

By the present amendment, claims 21 - 23, 25, 35, and 36 have been cancelled without prejudice; claims 18, 20, 24, 29, 30, and 32 - 34 have been amended; and claims 37 and 38 have been added to the case.

In the office action mailed March 3, 2004, claims 18 - 25, 29, 30 and 32 - 36 were rejected under 35 U.S.C. 112, first paragraph and under 35 U.S.C. 112, second paragraph.

It is submitted that the foregoing rejections have been traversed by the present amendment.

The Examiner is thanked for the courtesy of conducting an interview with the undersigned attorney on August 12, 2004. During the interview, claims similar to those set out above were discussed at length. The interview helped to resolve many of the section 112 issues present in last office action. The present amendment adopts many of the helpful suggestions made by the Examiner during the interview.

With regard to the objection to claim 23 and the alleged new matter, these objections have been mooted by the present response.

With regard to the rejections under 35 U.S.C. 112, first paragraph, it is submitted that, as indicated by the Examiner, the specification in the instant application is enabling for the claimed subject matter. With respect to the added "moiety of said linear peptide" language, this language is well

supported by the specification. For example, see page 9, line 28 et seq.

The Examiner's comments about an analog of SEQ. ID. NO. 23 is duly noted; however, the analog language has been deleted from the claims. As for the compound of formula IV, it is submitted that the subject matter of claims 29 and 37 is enabled by the specification in the instant application. It is also submitted that the now claimed method of vectoring is enabled by the specification in the instant application.

With regard to the rejection of claims 25, 30, and 32 - 34 under 35 U.S.C. 112, first paragraph, the formula (IV) has been corrected to be consistent with the specification. Thus, this rejection is now moot.

With regard to the rejection of claims 18 - 25, 29, 30, 32 - 36 under 35 U.S.C. 112, second paragraph, this rejection has been mooted by the amendments to the claims. It is submitted that when the pending claims are read in light of the specification, they are definite and in full accord with the requirements of 35 U.S.C. 112, second paragraph.

For the foregoing reasons, the instant application is believed to be in condition for allowance. Such allowance is respectfully solicited.

Should the Examiner believe an additional amendment is needed to place the case in condition for allowance, the Examiner is respectfully requested to contact Applicants' attorney at the telephone number listed below.

A request for a three month extension of time is enclosed herewith. Also enclosed herewith is a check in the amount of \$475.00 to cover the cost of the extension of time. Should the Commissioner determine that an additional fee is due, he

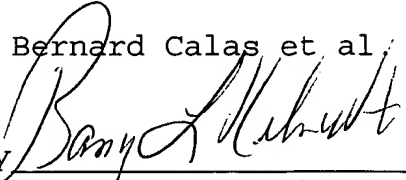
Appl. No. 09/485,571
Amdt. dated August 25, 2004
Reply to office action of March 3, 2004

is hereby authorized to charge said fee to Deposit Account No.
02-0184.

Respectfully submitted,

Bernard Calas et al

By


Barry L. Kelmachter
BACHMAN & LaPOINTE, P.C.
Reg. No. 29,999
Attorney for Applicants

Telephone: (203) 777-6628 ext. 112

Telefax: (203) 865-0297

Email: docket@bachlap.com

Date: August 25, 2004

I, Nicole Motzer, hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on August 25, 2004.

